

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 875

Short Title: Corrections Fiscal Notes.

(Public)

Sponsors: Representative Barnes.

Referred to: Appropriations.

April 18, 1991

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE FOR FISCAL NOTES ON LEGISLATION CAUSING A
3 NET INCREASE IN INCARCERATION.

4 The General Assembly of North Carolina enacts:

5 Section 1. Chapter 120 of the General Statutes is amended by adding a new
6 Article to read:

7 **"ARTICLE 6E.**
8 **"CORRECTIONS FISCAL NOTES.**

9 **"§ 120-30.49. Definitions.**

10 For purposes of this Article:

- 11 (1) 'Legislation' means any bill, resolution, or amendment to a bill or
12 resolution.
13 (2) 'Net increase in incarceration' means a net increase in the duration of
14 or number of persons incarcerated, whether by increased penalties
15 attached to existing law, by penalizing new behavior, or by any other
16 means.
17 (3) 'Operating costs' means all costs incurred as a result of a net increase
18 in incarceration, including capital outlay if such legislation would
19 require increased cell space.

20 **"§ 120-30.50. Purpose.**

21 It is the intent of the General Assembly, in accordance with the goals established for
22 the Sentencing and Policy Commission created in Article 4 of Chapter 164 of the
23 General Statutes, that any legislation introduced or considered in the General Assembly
24 which would result in a net increase in the number of persons incarcerated or the length

1 of their incarceration shall include funding from recurring revenues sufficient to offset
2 the increased operating costs resulting from such legislation.

3 **"§ 120-30.51. Fiscal note on legislation increasing incarceration.**

4 Upon the introduction of any legislation in the General Assembly which appears to
5 cause a net increase in incarceration, the Fiscal Research Division shall, upon the
6 request of any member of the General Assembly authorized by the rules of the
7 appropriate chamber, prepare a fiscal note in conjunction with the Sentencing Policy
8 and Advisory Commission stating the estimated cost of the increased incarceration.
9 Such legislation shall not be considered by the General Assembly until the fiscal note is
10 completed and available for consideration."

11 Sec. 2. This act is effective upon ratification and applies to legislation
12 introduced or considered on or after that date.